

571—101.3(481A) Taking and possession provision. The taking of raptors from the wild in Iowa shall be limited to the following conditions:

101.3(1) Nestling birds may be taken only by general or master permit holders. All wild raptors legally trapped or taken by a resident falconer must be marked with a black federal marker band provided by the department.

101.3(2) Young birds not yet capable of flight may be taken at any time following hatch, provided, however, that an individual may take no more than two nestlings and that at least one nestling shall be left in any nest from which a nestling is taken. The taking of nestlings is permitted only between May 21 and June 30. Removal of eggs from nests is prohibited.

101.3(3) First year (passage) birds shall be taken only from September 15 through January 31.

101.3(4) Only American kestrels (*Falco sparverius*) and great horned owls (*Bubo virginianus*) may be taken when over one year old; however, the permissible period for taking shall be no different than that prescribed for passage birds of all other species.

101.3(5) No permittee shall employ any method of taking raptors which is injurious to the bird.

101.3(6) Any species except endangered or threatened species or exotic birds, the import of which has been banned by the international convention, federal regulation or the natural resource commission, may be possessed and used for falconry provided the license holder can provide evidence that the bird was legally acquired, and provided that no one may import a raptor into Iowa or export a raptor out of Iowa, for a period greater than 30 days, without having first obtained written permission of the department of natural resources.

101.3(7) Recapture. Banded raptors that are lost to the wild through accident may be retrapped provided that the department of natural resources has been advised of the loss and is notified of the attempt to recapture. Should the banded raptor be recaptured, the department of natural resources shall be notified of the recovery within 48 hours.

101.3(8) Nonresident raptor trapping. A permit may be issued upon application by a nonresident for the purpose of taking a raptor in Iowa, provided that the applicant's resident state is listed in Paragraph (K), Subpart C, Part 21-29, Chapter 1, of Title 50, Code of Federal Regulations, as a participating state, and the applicant's resident state issues nonresident raptor trapping permits or licenses, or otherwise provides for the taking of raptors by nonresidents. Nonresidents shall submit a photocopy of a valid import permit from their resident state and a photocopy of a current, valid, state/federal falconry permit. Nonresident permits shall be issued only in the General or Master Class.

a. Trapping provisions. Trapping of raptors in Iowa by nonresidents shall be limited to the following species: red-tailed hawk, American kestrel, and great horned owl.

b. Marking requirements. Raptors legally trapped by nonresidents must be marked with a black federal marker band provided by the department. No raptor shall be transported from Iowa without first having had the black marker band attached.

Permittees may, with written permission from the department, provide their own black marker band issued by their state of residency. Permittees who provide their own black marker band shall place the band on the raptor immediately upon capture, and must notify the department within five days of the capture and of the corresponding black marker band number.

c. Fees. Fees for nonresident raptor trapping applications shall be reciprocal to the fee charged by the applicant's resident state. If the applicant's resident state does not provide for a nonresident raptor trapping fee, then the Iowa nonresident raptor trapping application fee shall be \$50.

d. Restrictions. Nonresident falconers may apply for one raptor trapping permit per trapping season. All nonresident raptor trapping permits shall be valid for a period not to exceed 60 consecutive days, beginning on the date of issuance. No nestlings or raptor eggs may be taken. First year (passage) birds may be taken only from September 15 through January 31. The nonresident trapping permit shall be valid for only one raptor of the species designated on the permit. The trapping permit shall be carried by the permittee while in the act of trapping and the transportation of any subsequently trapped raptor.